

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

|                                    |   |                        |
|------------------------------------|---|------------------------|
| VINCENT LUCAS,                     | : | Case No. 1:12-cv-00630 |
|                                    | : |                        |
| Plaintiff,                         | : | Judge Timothy S. Black |
|                                    | : |                        |
| vs.                                | : |                        |
|                                    | : |                        |
| TELEMARKETER CALLING FROM          | : |                        |
| (407) 476-5680 AND OTHER           | : |                        |
| TELEPHONE NUMBERS, <i>et al.</i> , | : |                        |
|                                    | : |                        |
| Defendants.                        | : |                        |

**DECISION AND ENTRY  
OVERRULING PLAINTIFF’S OBJECTION (DOC. 168)  
(AS AMENDED (DOC. 170)),  
TO THE 2/26/2015 MEMORANDUM ORDER OF THE MAGISTRATE JUDGE  
(DOC. 166) REGARDING PLAINTIFF’S MOTION FOR REVIEW OF CLERK’S  
TAXATION OF COSTS, ETC. (DOC. 165)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on February 26, 2015, issued a Memorandum Order that decided four motions (*see* Docs. 143, 147, 164 and 165). Plaintiff timely filed a pleading that objected to three of the Magistrate Judge’s rulings (*see* Doc. 168). Thereafter, Plaintiff filed an “amended” objection containing the introductory statement, “The Plaintiff withdraws Doc. 168 and replaces it with this document.” (*See* Doc. 170.) Plaintiff’s amended objection focuses solely on that portion

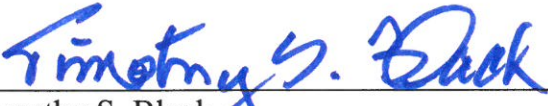
of the Magistrate Judge's decision regarding Plaintiff's Motion for Review of Clerk's Taxation of Costs, etc. (Doc. 165).<sup>1</sup>

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the findings of the Magistrate Judge and all of the pleadings in this matter regarding Plaintiff's Bill of Costs filed in the wake of the default judgment entered against Defendant Edwin Adquilen Valbuena Jr. Upon consideration of the foregoing, the Court does determine that nothing contained within the February 26, 2015 Memorandum Order is clearly erroneous or contrary to law, which is the appropriate standard of review.

Accordingly, Plaintiff's amended objection (Doc. 170) to the February 26, 2015 Memorandum Order (Doc. 166) is **OVERRULED**.

**IT IS SO ORDERED.**

Dated: 3/30/15

  
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Timothy S. Black  
United States District Judge

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<sup>1</sup> The local rules do not contain a provision that allows a party to *sua sponte* replace one pleading with another. In the interests of justice, however, and in this limited circumstance *only*, the Court will allow the amended objection to substitute for the original.